



Norman H. Bangerter
Governor
Dee C. Hansen
Executive Director
Dianne R. Nielson, Ph.D.
Division Director

State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

See Correspondence

0001

MINERALS PROGRAM
FILE COPY

January 28, 1991

Mr. Joseph R. Lambert
Point of the Mountain Properties
1448 East 1200th South Street
Bountiful, Utah 84010

Dear Mr. Lambert:

Re: Sand and Gravel Regulation by the State of Utah, Response to J. R. Lambert's Letter of December 14, 1990

The Division has reviewed your December 14, 1990 letter, inquiring into our regulatory authority, regarding the expansion of the Lamona Farms sand and gravel operation in Utah County. Your letter emphasized concerns regarding the environmental impacts of such an expansion.

You mentioned in your letter that you felt the Division of Oil, Gas and Mining should be involved because the impacts will be a result of mining, and that an environmental impact statement should be required of the operator. The Division does regulate and permit most mining activities in the State of Utah. However, sand, gravel and rock aggregate operations, were specifically exempted from the Mined Land Reclamation Act, Title 40-8 et. seq. Therefore, we have no direct regulatory authority over the situation which you have described. However, we can advise you on certain government agencies which may have some jurisdiction over the types of concerns you have described.

You mentioned a dust problem resulting from mining activities. You should contact the State Health Department, Bureau of Air Quality Control (BAQC) in this regard (phone 538-6108). The operator should have acquired an air quality permit from this agency. If the permit is being violated, then the BAQC should be notified. You might ask the BAQC for a copy of the existing permit and inquire if it is being amended, given the operation's expansion. Also you might want to call the State Health Department's Bureau of Water Pollution Control (phone 538-6146) to inquire about surface water and ground water discharge permitting. Given the location, it is possible that some type of water related impact(s) may be involved with this operation.

Page 2
Joseph R. Lambert
January 28, 1991

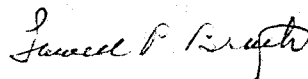
You suggested that an environmental impact statement (EIS) may be required prior to the Lamona Farms expansion. Preparation of an EIS is typically a federal action/decision and is based upon a finding of significant environmental socio-economic, cultural and/or other critical impact to a federally administered/owned project or property.

It is assumed that the property you are concerned with is entirely privately owned and privately funded, hence an EIS would likely not be required. Some states do have their own statutes and regulations requiring preparation of an environmental assessment (EA) and/or an EIS on disturbances of a specified nature. However, to my knowledge, Utah has no such requirement.

You should also contact the county authorities in the area of the proposed project with permitting requirements. In Utah, the county zoning authorities are responsible for approving and regulating this type of activity. Some counties (e.g., Tooele) have specific offices that deal with reclamation or environmental permitting. The federal office of Mine Safety and Health Administration (MSHA) would be another agency responsible for issuance of a permit to operate a sand and gravel quarry also.

I empathize with your concerns and am sorry we cannot be of further assistance to you. Hopefully, this information will be of some value to you.

Sincerely,



Lowell P. Braxton
Associate Director, Mining

jb
cc: Karen Silver, Community Action Program
Linda Morton, Holiday-Cottonwood Comm Council
Lambert

Point Mountain Properties
Point of the Mountain
Lehi, Utah, 84043

Dec 14, 1990

Natural Resources Dept.
Division of Oil, Gas, and Mining
355 West North Temple Suite 350
Salt Lake City, Utah 84108.
Attn: Mr. Lowell Brampton

RECEIVED
DEC 17 1990

DIVISION OF
OIL, GAS & MINING

Dear Mr. Brampton

In response to our telephone conversation as of this date. The following is submitted:

Reference is made to Encl #1, Lamona Farms request for a zone change from agriculture to a gravel pit. The Board denied the request and recommended that the zoning remain agriculture or possibly request a change to Residential.

Subsequent to this decision, sand and gravel has been and is being hauled out of this pit daily.

Lamona Farms has requested annexation into the city of Lehi and zoning to provide for a gravel pit. A meeting was held Dec. 4, 1990 in the Lehi Council Room. The Council has delayed a decision pending further study. (Please see Encl #2).

In the meantime a representative of ours contacted the County Commission Office. A Commissioner stated that the Planning Board had denied Lamona Farms request for zone change and very seldom has a Board decision been over ruled.

Reference Encl #3, now the County planning Commission is to consider a zone change from A-1 to M & G-1.

An Environmental Impact Statement should be required. It seems that approval of such should preclude the requested zone change.

One specific is: the gravel pit is north and west of our property. The wind blows constantly with the strongest winds from the north and prevailing the majority of the time. The mining operation will no doubt be open pit strip mining. On all windy days when the wind is from the north the Point of the Mountain Properties which includes Lone Peak Trailers will be thoroughly sand blasted.

It is our understanding that an Environmental Impact Statement is required and EPA should possibly review it. Since mining supposedly is involved no doubt your department should review it.

We are taking the liberty of submitting to you the enclosed information and requesting any information you can provide to us to preclude approval of the proposed Gravel Pit.

Joseph R. Lankel
Pres.

Point of Mountain Properties



UTAH COUNTY
Board of Adjustment

San Mateo, California

San Mateo, California
San Mateo, California
San Mateo, California
San Mateo, California

NOTICE TO PROPERTY OWNERS

Refer to Appeal No. 1028

As an adjoining property owner, you may be interested to know that the Utah County Board of Adjustment will consider the request of Lamona Farms for a special exception for a gravel pit 11397 North Lehi Frontage Road in the A-1 Zone.

The Board of Adjustment will be considering this appeal as Item #4 on their agenda Tuesday, November 6, 1990, at 5:15 p.m. in Room 1400 of the County Administration Building, 100 East Center Street, Provo, Utah. At that time, you may express your views on this matter in person, by letter, or by a representative.

If you know of any interested property owner, who for any reason has not received a copy of this notice, would you please advise them of the time and place of the hearing.

Thank You.

Sincerely,

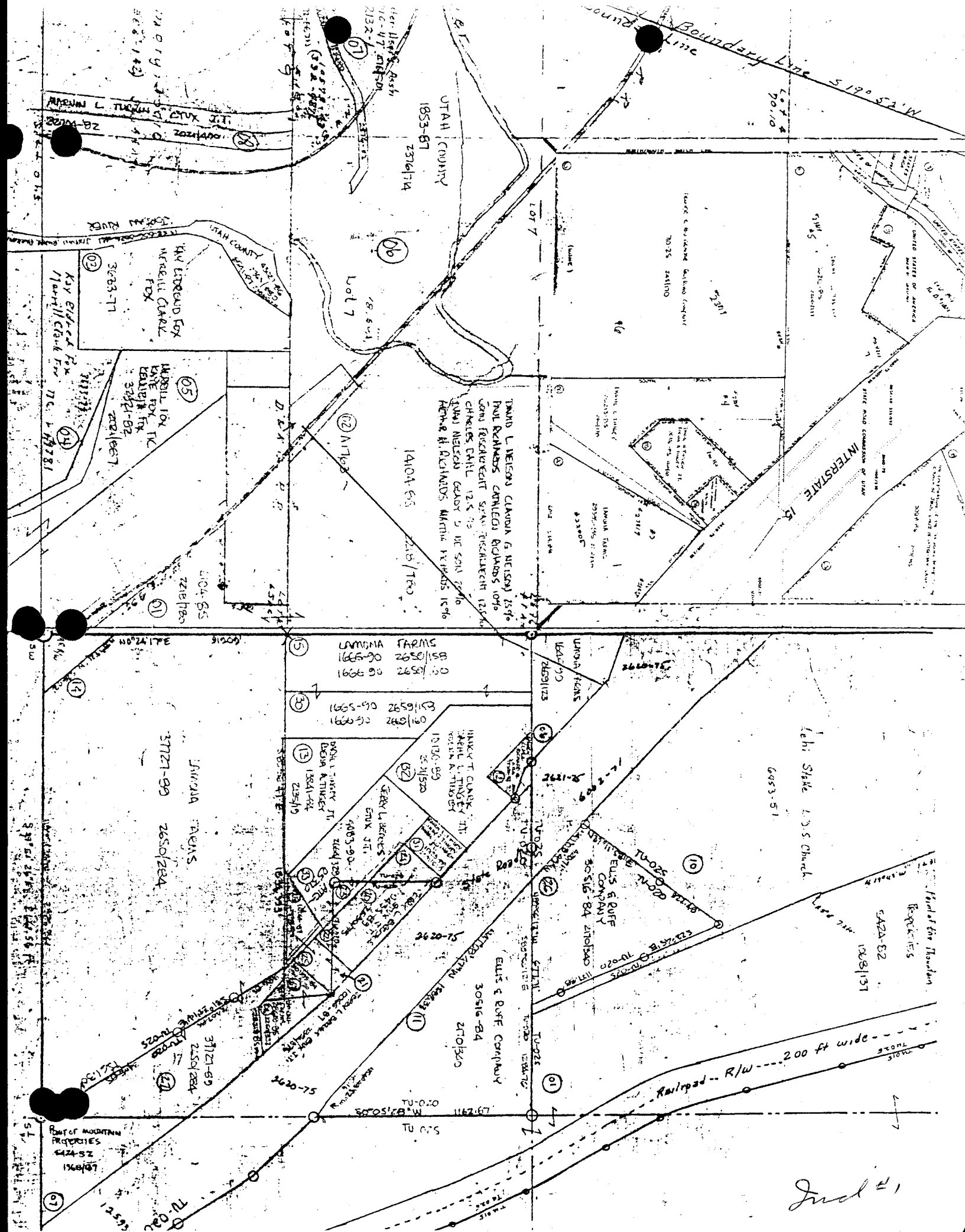
BOARD OF ADJUSTMENT

Shellie Hughes

Shellie Hughes
Secretary

DATE: October 23, 1990

Ind #1



Lehi Press

er 5, 1990

50 cents a single copy

Council okay annexation, hears CDBG proposals

The city council held a public hearing prior to regular city council business in last week's session. The public hearing involved a hearing on a request by Don Palmer for annexation of 7.5693 acres located at approximately 2400 North 1200 East to an RA-1 zone.

The request was okayed by the council subject to annexation agreements.

The council also discussed a project which, they hoped, would qualify for CDBG grant monies. City Engineer, Lorin Powell can now prepare the applications for the grant.

The Community Development Block Grants issued by the federal government require matching funds from the cities. Lehi has received several CDBG grants that have helped accomplish many city projects. One of the prerequisites for receiving CDBG grants is that the grant helps cities with worthy and needed projects.

No one appeared at the public hearing to give input as to what would be a project that would qualify. The council agreed that a sewer extension north of Cedar Hollow Road and to 1200 East, would be a viable project. Lorin Powell, City Engineer, will go ahead and prepare applications in hopes of obtaining the grant.

The project would provide the sewer to 15 homes in the area and would also make possible the development of low-income homes in the bench area. Another benefit of

the project would be that roads to the area would be improved.

Mayor Cash asked Mr. or Mrs. Bob Hubbard to suggest a solution that would resolve a problem at the Lehi Public Works Complex. Mayor Cash said that inasmuch as the Hubbards had rejected any of the city's suggestions, he would welcome any solutions they may come up with.

The problem arose when the city built a building on city property back of the Hubbard's machine shop, (the former old cereal mill). The new building was built on city-owned property, but prevents rear access to the Hubbards' shop building.

Mayor Cash asked them to "make us an offer on your terms."

Hubbard answered, "I don't think it will make any difference."

Mayor Cash again begged, "Make us an offer on your terms, will you do that?"

Mrs. Hubbard said, "Yes, we'll see what we can come up with."

In other council proceedings, the council delayed a decision regarding the possibility of annexing the Tingey Farm property of 260 acres.

Joe Dorton appeared at the meeting to inform the council that a request for a sand and gravel business at the same location had been denied by the county.

"They are now operating without a permit," he said. "You'd think they would cease and desist after the county told them they couldn't have the permit," Lambert said.

He warned the city, "I'm afraid

we're going to have an eyesore, a big hole there. I strongly recommend you look very strongly at this before approval is given."

Mayor Cash also told the council that there was a rumor that a junkyard was going to be located there.

City Attorney Rushton expressed his concern about any benefits the annexation might offer Lehi City.

A community award was presented to Charlie Nelson and Johnny Winters for their diligence in making it possible for Lehi City's Public Safety Building, Library, the Museum and the Memorial Building grounds to receive beautification awards.

Mayor Cash congratulated Nelson and Winters and thanked them for their efforts.

Marilyn Adams, a concerned citizen, was present at the council meeting to ask for a crosswalk on Main Street near Kohlers Market.

"I think it would be beneficial because of how many children walk to the swimming pool and need a place to cross the road in safety," she said.

She cited an incident when a woman tried to cross the street in a wheel chair and cars wouldn't stop long enough for her to maneuver her wheel chair across the street.

Councilwoman Carolyn Player asked for cooperation from motorists. She asked that people take note of the potential danger to pedestrians and to drive accordingly.



UTAH COUNTY
Planning Department

Jeff Mendenhall, Director

100 East Center Street
Suite 3800
Provo, Utah 84606
Phone 801-370-8344

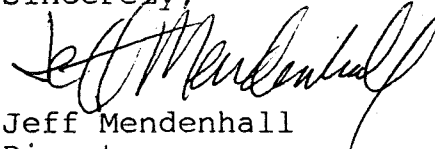
December 10, 1990

Dear Property Owner:

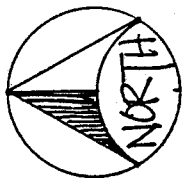
The Utah County Planning Commission will hold their regular meeting on Tuesday, December 18, 1990, at 7:30 P.M., in Room 1400 of the County Administration Building, 100 East Center, Provo, Utah, to consider a proposal by Lamona Farms for a zone map change from the A-1, Agricultural Zone to the M&G-1, Mining and Grazing Zone in Sections 25 and 26 of Township 4 South, Range 1 West, Point-of-the-Mountain area.

If you would like to comment on this proposal you may attend the meeting at the above time and place or contact this office by mail or telephone.

Sincerely,


Jeff Mendenhall
Director

JM/sh



BOUNDARY SALT LAKE CO.
UTAH 8.

M&G-1

M&G-1

A-1

USA

INTERSTATE 15

I-1

LAMONA FARMS

HS-1

LAMONA FARMS -
PROPOSED ZONE MAP
CHANGE, A-1 TO M&G-1

A-1

Camp Williams

Lehi-
City

LAKE

TO RESERVOIR CANAL

DISTRIBUTING

CANAL

fpo

PROVO

RESERVOIR

UNION PACIFIC RAILWAY

Highway 51

MS

84000
Col Jos R Lambert
1448 E 1200th S St
Bountiful UT 84010



NATURAL RESOURCES DEPT.
DIVISION OF OIL, GAS & MINING
355 WEST NORTH TEMPLE SUITE 350
SALT LAKE CITY UTAH 84108
ATTN: MR LOWELL BRAXTON